



PUBLIC NOTICE

Federal Communications Commission
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Released: October 14, 2011

COMMENTS INVITED ON APPLICATION OF AT&T INC. ON BEHALF OF AT&T CORP. TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 11-164
Comp. Pol. File No. 1014

Comments Due: October 31, 2011

Section 214 Application

Applicant: AT&T Inc. on behalf of AT&T Corp.

On September 27, 2011, AT&T Inc. (AT&T or Applicant) filed an application with the Federal Communications Commission (FCC or Commission) on behalf of its affiliate, AT&T Corp., located at One AT&T Way, Bedminster, NJ 07921, requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue a certain domestic telecommunications service throughout the continental United States and the District of Columbia (collectively Service Areas).¹

AT&T indicates that AT&T Corp. currently offers Fractional T3 (FT3) Channel Service in the Service Areas. AT&T describes this service as a dedicated, point-to-point digital interoffice channel service supporting speeds of 4.63 Mbps, 6.18 Mbps, 7.72 Mbps and 10.81 Mbps. AT&T states, however, that it plans to discontinue this service because there are currently less than ten subscribers and there is very little demand for it in the marketplace. AT&T specifies that AT&T Corp. plans to discontinue offering FT3 Channel Service to new customers in the Service Areas on or after November 15, 2011, subject to Commission authorization. In its notice to customers, AT&T states that, effective November 15, 2011, Moves, Additions and Change orders for FT3 Channel Service will no longer be accepted. In the notice, AT&T explains that after November 15, 2011, new requests for physical changes including the upgrade or downgrade within FT3 speeds, installation of new FT3 Channel Service, or moves to different service addresses will not be provisioned. AT&T indicates that AT&T Corp. will continue to provide this service to existing customers in accordance with the terms of their existing contracts until service under those contracts expires or until December 31, 2012, whichever occurs first. AT&T maintains that the public convenience and necessity will not be adversely affected by the proposed discontinuance of service because AT&T Corp. offers Private Line DS3 or Multi-Protocol Label Switching based VPN service as alternatives, and there are competing providers who also offer alternative services. AT&T indicates that it notified affected customers of the proposed discontinuance by letters sent via U.S. mail on September 15, 2010. AT&T states that it is considered non-dominant with respect to the service to be discontinued.

¹ The application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on September 30, 2011.

In accordance with section 63.71(c) of the Commission's rules, AT&T's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies AT&T that the grant will not be automatically effective. In the application and customer notices, AT&T indicates that AT&T Corp. plans to discontinue offering FT3 Channel Service to new customers in the Service Areas on or after November 15, 2011, pending regulatory approval. In the customer notices, AT&T further indicates that AT&T Corp. plans to establish certain restrictions on new requests for moves, additions or changes to FT3 Channel Service after November 15, 2011, and to continue to provide this service to existing customers in accordance with the terms of their existing contracts until service under those contracts expires or until December 31, 2012, whichever occurs first. Accordingly, pursuant to section 63.71(c) and the terms of AT&T's application and notices, absent further Commission action, AT&T Corp. may cease to offer FT3 Channel Service to new customers and may apply its restrictions on existing service in the Service Areas on or after **November 15, 2011**, in accordance with AT&T's filed representations. In addition, AT&T Corp. may terminate service to existing customers in the Service Areas on or after December 31, 2012, in accordance with AT&T's filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **October 31, 2011**. Such comments should refer to **WC Docket No. 11-164 and Comp. Pol. File No. 1014**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C.

20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Kimberly Jackson, (202) 418-7393 (voice), kimberly.jackson@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

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